

112TH CONGRESS
2D SESSION

S. 2045

To amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2012

Mr. BURR introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REQUIREMENT THAT JUDGES ON UNITED**
4 **STATES COURT OF APPEALS FOR VETERANS**
5 **CLAIMS RESIDE WITHIN FIFTY MILES OF DIS-**
6 **TRICT OF COLUMBIA.**

7 (a) RESIDENCY REQUIREMENT.—

1 (1) IN GENERAL.—Section 7255 of title 38,
2 United States Code, is amended to read as follows:

3 **“§ 7255. Offices, duty stations, and residences**

4 “(a) PRINCIPAL OFFICE.—The principal office of the
5 Court of Appeals for Veterans Claims shall be in the
6 Washington, D.C., metropolitan area, but the Court may
7 sit at any place within the United States.

8 “(b) OFFICIAL DUTY STATIONS.—(1) Except as pro-
9 vided in paragraph (2), the official duty station of each
10 judge while in active service shall be the principal office
11 of the Court of Appeals for Veterans Claims.

12 “(2) The place where a recall-eligible retired judge
13 maintains the actual abode in which such judge custom-
14 arily lives shall be considered the recall-eligible retired
15 judge’s official duty station.

16 “(c) RESIDENCES.—(1) Except as provided in para-
17 graph (2), after appointment and while in active service,
18 each judge of the Court of Appeals for Veterans Claims
19 shall reside within 50 miles of the District of Columbia.

20 “(2) Paragraph (1) shall not apply to recall-eligible
21 retired judges of the Court of Appeals for Veterans
22 Claims.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of chapter 72 of such title is

1 amended by striking the item relating to section
2 7255 and inserting the following new item:

“7255. Offices, duty stations, and residences.”.

3 (b) REMOVAL.—Section 7253(f)(1) of such title is
4 amended by striking “or engaging in the practice of law”
5 and inserting “engaging in the practice of law, or violating
6 section 7255(c) of this title”.

7 (c) EFFECTIVE DATE.—

8 (1) IN GENERAL.—Subsection (c) of section
9 7255 of such title, as added by subsection (a), and
10 the amendment made by subsection (b) shall take ef-
11 fect on the date that is 180 days after the date of
12 the enactment of this Act.

13 (2) APPLICABILITY.—The amendment made by
14 subsection (b) shall apply with respect to judges con-
15 firmed on or after January 1, 2012.

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